

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:12cv275

**AMERICAN UNITED LIFE INSURANCE
COMPANY,**

Plaintiff,

vs.

**CARROLL WAYNE BRYSON, individually
and as Administrator of the Estate of
Adam Brent Bryson,
AMANDA BECK, as parent and guardian
of minor J.F.B.,**

Defendants.

ORDER

THIS MATTER is before the Court *sua sponte*.

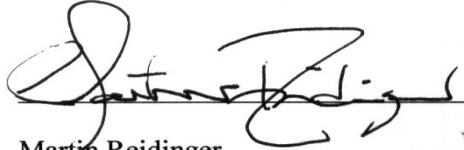
The Plaintiff initiated this action on September 4, 2012. [Doc. 1]. On November 9, 2012, Plaintiff's counsel filed proof that Defendant Bryson had been served with the Summons and Complaint on October 31, 2012 with Answer being due on November 21, 2012. [Doc. 8]. Defendant Bryson failed to file Answer or to otherwise appear. On January 2, 2013, Plaintiff's counsel filed proof that Defendant Beck had been served on December 31, 2012 with Answer being due on January 22, 2013. [Doc. 9]. Defendant

Beck failed to file Answer or to otherwise appear.

The Plaintiff has not moved for entry of default as to either Defendant. The Court will therefore require the Plaintiff to show cause why this action should not be dismissed for failure to prosecute.

IT IS, THEREFORE, ORDERED that on or before fifteen (15) days from entry of this Order, the Plaintiff shall file response as to why this action should not be dismissed for failure to prosecute. Should the Plaintiff file a Motion for Default Judgment within that same time period, the Plaintiff need not show cause.

Signed: February 4, 2013


Martin Reidinger
United States District Judge

